

# DECLARATION OF EMERGENCY

## Department of the State Business Service Division

Tom Schedler  
Secretary of State

1602#006

### Home Service Contract Providers (LAC 19:V.Chapter 3)

The Secretary of State, pursuant to the emergency provisions of the Administrative Procedure Act (R.S. 49:953(B)) and under the authority of R.S. 51:3141 through 3146 and R.S. 36:742, has adopted a Declaration of Emergency to govern home service contract providers. During the 2015 Regular Legislative Session, Act No. 161 was adopted transferring the registration process for home service contract providers from the Department of Insurance to the Department of State effective January 15, 2016. Since the Secretary of State did not have legal authorization to adopt policies and procedures regarding home service contract providers until January 15, 2016, the Secretary of State has determined that a Declaration of Emergency should be adopted until the Department can proceed through the rule-making process and adopt a final rule.

The Declaration of Emergency shall become effective on January 19, 2016 and shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until a final rule is adopted, whichever occurs first.

#### **Title 19**

### **CORPORATION AND BUSINESS**

#### **Part V. Secretary of State**

#### **Chapter 3. Home Service Contract Providers**

#### **§301. Home Service Contract Providers Registration with the Department of State**

A. Prior to doing business in the State of Louisiana, all home service contract providers will be required to register with the Department of State.

AUTHORITY NOTE: Promulgated in accordance with R.S. 12:314.1 and R.S. 36:742.

HISTORICAL NOTE: Promulgated by the Department of State, Business Services Division, LR 42:

#### **§303. Home Service Contract Providers Registration Fee**

A. The secretary of state hereby adopts the following fee schedule for home service contract providers transacting business in this state:

1. Beginning January 2016, all home service contract providers who want to do business in Louisiana shall pay the Department an initial registration fee of \$600.

2. Every two years thereafter, each home service contract provider will be required to pay a renewal fee of \$250 by January 15th.

AUTHORITY NOTE: Promulgated in accordance with R.S. 12:314.1 and R.S. 36:742.

HISTORICAL NOTE: Promulgated by the Department of State, Business Services Division, LR 42:

#### **Provider Impact Statement**

The proposed Rule does not have any known or unforeseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;

2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or

3. the overall effect on the ability of the provider to provide the same level of service.